

CALIFORNIA HORSE RACING BOARD
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MEDICATION COMMITTEE MEETING

of the **California Horse Racing Board Medication Committee** will be held on, Tuesday, **January 9, 2007**, commencing at **10:00 a.m.** in the **Baldwin Terrace Room at the Santa Anita Race Track, 285 West Huntington Drive, Arcadia, California.**

AGENDA

Action Items:

1. Discussion and action on the **Racing Medication and Testing Consortium (RMTC)** penalty guidelines and the following **proposed addition of and amendment to:**
 - a. **CHRB Rule 1843.3, Penalties for Medication Violations**
 - b. **CHRB Rule 1843.2, Classification of Drug Substances**
2. Discussion and action on the **proposed amendment to CHRB Rule 1842, Veterinarian Report**, to specify the entering of false information on a veterinarian report is prohibited.
3. Discussion and action on the **administration of clenbuterol and its use prior to race time.**
4. Discussion and action on the **use of shockwave therapy prior to race time.**
5. Discussion and action on the **use of anabolic steroids in horseracing.**

Additional information regarding this meeting may be obtained from Jacqueline Wagner, at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

MEDICATION COMMITTEE

Commissioner William A. Bianco, Chairman
Vice-Chairman John Harris, Member
Chairman Richard B. Shapiro, Member
Ingrid Fermin, Executive Director

STAFF ANALYSIS
DISCUSSION AND ACTION ON THE
PROPOSED AMENDMENT OF
CHRB RULE 1843.2,
CLASSIFICATION OF DRUG SUBSTANCES
AND
THE PROPOSED ADDITION OF
CHRB RULE 1843.3
PENALTIES FOR MEDICATION VIOLATIONS

Medication Committee Meeting
January 9, 2007

BACKGROUND

Business and Professions Code (B&P Code) Section 19440 specifies, in part, that the Board shall have all powers, including but not limited to adopting rules and regulations for the protection of the public and the control of horseracing and pari-mutuel wagering. B&P Code 19580 states in part that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication in order to preserve and enhance the integrity of horseracing in this State. Section 19581 of the B&P Code specifies that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. B&P Code Section 19582 provides that violations of Section 19581, as determined by the Board, are punishable in regulations adopted by the Board. It provides further that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime. The Board may provide for suspensions of not more than 3 years, monetary penalties of not more than \$50,000 dollars, and disqualification from purses, except for a third violation during the lifetime of the licensee, for a drug substance determined to be class 1 or class 2, which shall result in the permanent revocation of the person's license. The punishment for second and subsequent violations of Section 19581 shall be greater than for first violations for violations of each class of prohibited drug substance.

At the July 2005 Medication committee meeting, the issue of establishing penalties for medication violations was discussed. It was suggested that the Racing Medication and Testing Consortium (RMTC) penalty guidelines be reviewed to determine how they could be incorporated into the CHRB rules. Subsequent to the July 2005 meeting the proposed Rule 1843.3 was developed and discussed at the November 2005 meeting of the Medication committee. At that meeting further revisions were made to include mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors, which may increase the assessed penalty beyond the minimum. In addition, it was recommended that the RMTC penalty categories be reviewed by the Equine Medical Director (EMD) and the Director of the Maddy Equine Analytical Chemistry Laboratory at U.C. Davis, to ensure that the penalty categories are in line with California's recommendations. At the January 2006 meeting of the Committee a decision on the

proposed amendment and addition was deferred to allow interested parties to meet and provide input and or clarification to the proposal. In the meantime the Board's Equine Medical Director has revised the proposals.

ANALYSIS

The RMTC Board of Directors has developed uniform penalty guidelines for medication violations. These guidelines were presented to the Association of Racing Commissioners International (ARCI) and the National Association of Professional Racing Administrators (NAPRA) Joint Model Rules Committee for their consideration.

The proposed addition of Rule 1843.3, Penalties for Medication Violations, incorporates the RMTC recommendations with the exception of Category A second offense which is inconsistent with Board Rule 1495, Re-Hearing After Denial of License. The RMTC proposal provides for a maximum penalty of license revocation with no reapplication for a three-year period. Rule 1495 allows for reapplication for a license after one-year from the effective date of the decision to deny a license. In addition, Category A third offense provides for a five-year suspension that is inconsistent with B&P Code 19582 (b), which provides for a maximum three-year suspension. The three-year suspension coincides with the CHRB's term of license. The proposed rule reflects text that corresponds to California law and the Board's regulations.

Should the committee approve the proposal to add Rule 1843.3 to the Board's rules, it will be necessary to amend 1843.2, Classification of Drug Substances.

Presently Rule 1843.2, Classification of Drug Substances, categorizes drug substances into seven classifications. The RMTC penalty guideline recommendations rely on the five drug classifications established by the ARCI. The RMTC penalty guideline recommendation and the ARCI Uniform Classifications are the basis for the CHRB Penalty Categories Listing By Classification.

The proposal to amend 1843.2 will delete the seven drug classifications and reference the CHRB document. The CHRB drug classifications are based on the ARCI recommendations with modifications recommended by the EMD.

RECOMMENDATION

The proposed amendment to Rule 1843.2, and the proposed addition of Rule 1843.3, as well as the CHRB's Penalty Categories Listing By Classification are attached for your review and discussion. The Board's prior EMD and the Director of the Equine Analytical Laboratory at U.C. Davis proposed penalty changes for thirty-one drug substances. These are bolded for your reference.

CALIFORNIA HORSE RACING BOARD
TITLE 4, CALIFORNIA CODE OF REGULATIONS
ARTICLE 15, VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1843.3
PENALTIES FOR MEDICATION VIOLATIONS

Medication Committee Meeting
January 9, 2007

1843.3. Penalties for Medication Violations.

(a) In reaching a decision on a penalty for violation of Business and Profession Code section 19581, the Board or the Board of Stewards shall consider the penalties set forth in subsections (e) and (f) of this rule. Deviation from these penalties is appropriate where the Board in its sole discretion determines by adoption of a proposed decision or stipulation that the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors, which may increase the penalties beyond the minimum.

(b) Mitigating circumstances and aggravating factors include, but are not limited to:

- (1) The past record of the licensee in drug cases;
- (2) The potential of the drug(s) to influence a horse's racing performance;
- (3) The legal availability of the drug;
- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The probability of environmental contamination or inadvertent exposure due to human drug use;
- (7) The purse of the race;

(8) Whether the drug found was one for which the horse was receiving a treatment as determined by a Confidential Veterinarian Report Form;

(9) Whether there was any suspicious wagering pattern in the race;

(10) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

(11) Other factors brought to the attention of the hearing officers.

(c) For purposes of this regulation, the Board shall, upon determination that an official pre-or post-race test sample from a horse participating in any race contained any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in this article, consider the classification of drug substances as classified in Rule 1843.2 of this division and the California Horse Racing Board's (CHRB) Penalty Categories Listing by Classification, (12/05) hereby incorporated by reference.

(d) If a penalty is administered it shall be greater than the last penalty administered to the licensee for a violation concerning the same class of drug substance.

(e) Penalties for violation of each classification level are as follows:

CATEGORY “A” PENALTIES

Penalties for violations due to the presence of a drug substance in an official pre- or post-race samples, whose CHRB drug classification is categorized as warranting a Category A penalty:

UNLICENSED TRAINER:		
1st offense	2nd LIFETIME offense	3rd LIFETIME offense
<ul style="list-style-type: none"> ◦ <u>Minimum one - year suspension. absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$25,000 or 25% of purse (greater of the two) fine.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>May be referred to the Board for any further action deemed necessary by the Board</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a three-year period.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$25,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 or 50% of purse (greater of the two).</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$50,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two).</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u>
LICENSED OWNER:		
1st offense	2nd LIFETIME offense in owner's stable	3rd LIFETIME offense in owner's stable
<ul style="list-style-type: none"> ◦ <u>Disqualification and loss of purse.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification and loss of purse.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse shall be placed on the veterinarian's list for up to 120 days and must pass a Board -approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification, loss of purse and \$50,000 fine.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Referral to the Board with a recommendation of a suspension for a minimum of 90 days.</u>

CATEGORY “B” PENALTIES

Penalties for violations due to the presence of a drug substance in an official pre- or post-race samples, whose CHRB drug classification is categorized as warranting a Category B penalty:

SENSED TRAINER:		
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
<ul style="list-style-type: none"> ◦ <u>Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5000.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$10,000.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$15,000 or 10% of purse (greater of the two).</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u>
SENSED OWNER:		
1st offense	2nd offense in stable (365-day period)	3rd offense in stable (365-day period)
<ul style="list-style-type: none"> ◦ <u>Disqualification and loss of purse in the absence of mitigating circumstances.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification and loss of purse, in the absence of mitigating circumstances.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification, loss of purse and \$5,000 fine in the absence of mitigating circumstances.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> ◦ <u>Be subject to drug testing and be negative for prohibited drug substances as defined in Rule 1843.1</u>

CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO₂) TESTING

Penalties for violations due to exceeding permitted levels of TCO₂ as defined in Rule 1843.6. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Up to a 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$1500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5000. 	2nd offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$10,000. 	3rd offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$5000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$15000.
LICENSED OWNER:		
1st offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse. 	2nd offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse. 	3rd offense Total CO₂ (≥ 37.0mmol/l- <39mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse and \$2,500 fine in the absence of mitigating circumstances.
LICENSED TRAINER:		
1st offense Total CO₂ (≥ 39.0mmol/l) <ul style="list-style-type: none"> Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$2500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$10,000. 	2nd offense Total CO₂ (≥ 39.0mmol/l) <ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$5000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$15,000. 	3rd offense Total CO₂ (≥ 39.0mmol/l) <ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$25,000.
LICENSED OWNER:		
1st offense Total CO₂ (≥ 39.0mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse. 	2nd offense Total CO₂ (≥ 39.0mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse. 	3rd offense Total CO₂ (≥ 37.0mmol/l) <ul style="list-style-type: none"> Disqualification and loss of purse and \$5,000 fine in the absence of mitigating circumstances.

CATEGORY "C" PENALTIES

Penalties for violations due to the presence of a drug substance in an official pre-or post race sample, whose CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844, and furosemide as defined in Rule 1845 in an official pre- or post-race samples. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$500 to a maximum of \$1000 absent mitigating circumstances.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$1,000 to a maximum of \$2000. and up to 15-day suspension absent mitigating circumstances</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$2,500 and up to 30-day suspension absent mitigating circumstances</u>

CATEGORY "C" PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2), (3). All concentrations are for measurements in serum or plasma.

The Official Veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). After consultation with and permission of the Official Veterinarian the trainer may elect to pay the minimum fine in lieu of a Steward's hearing. If the trainer has not had an 1844 (c) violation within the previous three years, the Official Veterinarian or the Board of Stewards may issue a warning in lieu of a fine for violations of 1844 (c) (1), phenylbutazone, provided the reported level is below 7.5mcg/ml.

LICENSED TRAINER:	Phenylbutazone (5.1-<10.0mcg/ml) Flunixin (50-100 ng/ml) Ketoprofen (11-49 ng/ml)	Phenylbutazone (5.1-<10.0mcg/ml) Flunixin (50-100 ng/ml) Ketoprofen (11-49 ng/ml)
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ <u>Minimum fine of \$500 to a maximum of \$1000</u>	◦ <u>Minimum fine of \$1000 to a maximum of \$2,5000</u>	◦ <u>Minimum fine of \$2,500 to a maximum of \$5000. The Official Veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.</u>
LICENSED OWNER:	Phenylbutazone (5.1-<10.0mcg/ml) Flunixin (50-100 ng/ml) Ketoprofen (11-49 ng/ml)	Phenylbutazone (5.1-<10.0mcg/ml) Flunixin (50-100 ng/ml) Ketoprofen (11-49 ng/ml)
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
LICENSED TRAINER:	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ <u>Minimum fine of \$1000 to a maximum of \$2500.</u>	◦ <u>Minimum fine of \$2,500 to a maximum of \$5000. The Official Veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.</u>	◦ <u>Minimum fine of \$5,000 to a maximum of \$10,000. The Official Veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 60 days.</u>
LICENSED OWNER:	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ <u>Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run</u>	◦ <u>Loss of purse. If same horse, placed on veterinarian's list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. The official Veterinarian shall withdraw permission for the trainer to use any NSAID for a period of up to 60 days.</u>	◦ <u>Loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. The Official Veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 120 days.</u>

(f) Penalties for violations due to the presence of a drug substance in an official pre- or post-race sample, whose ARCI drug classification is categorized as warranting a Category D penalty, may result in a written warning to the licensed trainer and owner.

(g) Any drug or metabolite thereof found to be present in an official pre- or post-race sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

(h) The administration of a drug substance to a race horse must be documented by the treating veterinarian through the filing of a Confidential Veterinarian Report form as described in Rule 1842 of this division.

(i) Any licensed veterinarian, owner or other licensee found to be responsible for the administration of any drug resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case. For purposes of this regulation owner means the individual owner (s) or entity that owns the horse from which the official pre-or post race test sample was taken. Any penalty for a violation will be imposed upon the entity owning the horse.

(1) Any veterinarian found to be involved in the administration of any drug in Penalty Category "A" shall be referred to the California Veterinary Medical Board for consideration of further disciplinary action.

(2) Any veterinarian found to be involved in the administration of any drug in Penalty Category "B" or "C" may be referred to the California Veterinary Medical Board for consideration of further disciplinary action upon the recommendation of the Equine Medical Director or hearing officers.

(j) Any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency.

(k) A licensed trainer who is suspended because of a medication violation is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

Authority: Sections 19461, 19580, 19581 & 19582,
 Business and Professions Code.

Reference: Sections 19461, 19580, 19581 & 19582,
 Business and Professions Code.

Section 11425.50,
Government Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT
OF
RULE 1843.2
CLASSIFICATION OF DRUG SUBSTANCES

Medication Committee Meeting
January 9, 2007

1843.2. Classification of Drug Substances.

The stewards, when adjudicating a hearing for the finding of a drug substance(s) in a test sample taken from a horse participating in a race, shall consider the classification level of the substance as established referenced in the California Horse Racing Board (CHRB) Penalty Category Listing By Classification (12/05), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (4/05), below:

~~CLASS 1: Drug substances not approved by the Food and Drug Administration (FDA) for use or sale in the United States, and drug substances both medicinal and non-medicinal which have high abuse potential. These drug substances include, but are not limited to, stimulant and depressant drug substances, including opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines, and Drug Enforcement Agency Schedule I and Schedule II drugs, listed in Title 21 Code of Federal Regulations, Section 1308.11 and Section 1308.12, respectively, which is hereby incorporated by reference.~~

~~CLASS 2: Drug substances which are pharmacologically active in altering consciousness or the psychic state, or therapeutic drug substances with potential for abuse. These drug substances include, but are not limited to:~~

- ~~a. Opiate partial agonists, or agonist-antagonists.~~
- ~~b. Non-opiate psychotropic drugs.~~
- ~~c. Drug substances which have as their major pharmacological effect stimulation of the central nervous system.~~
- ~~d. Drug substances which have as their major pharmacological effect depression of the central nervous system.~~
- ~~e. Antidepressant and antipsychotic drugs.~~
- ~~f. Neuromuscular blocking agents.~~
- ~~g. Parenteral local anesthetics, excluding procaine.~~
- ~~h. Snake venoms and other biologic substances that may be used as nerve blocking agents.~~

~~CLASS 3: Drug substances whose major pharmacological effects are on the cardiovascular, respiratory and/or autonomic nervous systems. These drug substances include but are not limited to:~~

- ~~a. Bronchodilators.~~
- ~~b. Procaine.~~
- ~~c. Antihistamines that exert an excitatory or depressant action on the central nervous system.~~
- ~~d. Primary vasodilators or hypotensive agents.~~
- ~~e. Cardiac glycosides and antiarrhythmics:~~
 - ~~1. Cardiac glycosides.~~
 - ~~2. Antiarrhythmic agents (exclusive of lidocaine, bretylium and propranolol).~~
- ~~f. Topical Anesthetics agents not available in injectable formulations.~~

~~CLASS 4: Drug substances which are approved by the FDA for human use, or used under extra-label guidelines as defined by the FDA. These drug substances include, but are not limited to, human-labeled non-steroidal anti-inflammatory agents, antihistamines, and some analgesics.~~

~~a. Non-opiate drug substances which have a mild central analgesic effect.~~

~~b. Drug substances pharmacologically active on the autonomic nervous system, not affecting the central nervous system, cardiovascular, or respiratory systems.~~

~~1. Drug substances used solely as topical vasoconstrictors or decongestants.~~

~~2. Drug substances used as gastrointestinal antispasmodics.~~

~~3. High-ceiling and loop diuretics other than those authorized by the CHRB and carbonic anhydrase inhibitors.~~

~~4. Drug substances which have a major pharmacological effect on the central nervous system vasculature or smooth muscle of visceral organs.~~

~~e. Antihistamines whose pharmacological action is mediated by H1 receptors.~~

~~CLASS 5: Drug substances which have accepted therapeutic use in the horse. These drug substances include, but are not limited to, non-steroidal anti-inflammatory agents approved for equine veterinary use by the FDA, but not authorized by the CHRB.~~

~~a. Expectorants with minimal other pharmacologic action.~~

~~b. Non-steroidal anti-inflammatory drug substances (NSAIDs) approved for veterinary use in the United States, but not authorized by the CHRB.~~

~~CLASS 6: Drug substances which are therapeutically used in the maintenance of the health care of the horse. These drug substances include, but are not limited to, skeletal muscle~~

~~relaxants, mucolytic agents, glucocorticoids, mineralocorticoids, osmotic and thiazide diuretics, anabolic and androgenic steroids, and specific peripheral vasodilators appearing in official test samples, as well as authorized medication exceeding the CHRB's authorized levels as established in Rule 1844(c)(1-4) of this division.~~

~~CLASS 7: Drug substances which are routinely used therapeutically to maintain the health of the horse. These drug substances include, but are not limited to, anthelmintic agents other than phenothiazine derivatives, oral adsorbent antidiarrheal agents, antihistamines whose pharmacological action is mediated by H2-receptors, antimicrobial such as sulfonamides, tetracyclines, and anti-fungal agents.~~

Authority: Sections 19580, 19581 and 19582,
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,
Business and Professions Code.

California Horse Racing Board (CHRB)

Penalty Categories

Listing By Classification

Class 1: Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Alfentanil	Alfenta	1	A	Metaraminol	Aramine	1	A
Amphetamine		1	A	Methadone	Dolophine	1	A
Anileridine	Leritine	1	A	Methamphetamine	Desoxyn	1	A
Apomorphine		1	A	Methaqualone	Quaalude	1	A
Benzylpiperazine (BZP)		1	A	Methylphenidate	Ritalin	1	A
Carfentanil		1	A	Metopon (methyldihydromorphinone)		1	A
Cocaine		1	B	Morphine		1	B
Dextromoramide	Palfium, Narcolo	1	A	Nikethamide	Coramine	1	A
Diamorphine		1	A	Oxycodone	Percodan	1	A
Endorphins		1	A	Oxymorphone	Numorphan	1	A
Enkephalins		1	A	Pemoline	Cylert	1	A
Ethylmorphine	Dionin	1	A	Pentylenetetrazol	Metrazol, Nioric	1	A
Etorphine HCl	M99	1	A	Phenazocine	Narphen	1	A
Fentanyl	Sublimaze	1	A	Phencyclidine (PCP)	Sernylan	1	A
Hydromorphone	Dilaudid	1	A	Phendimetrazine	Bontril, etc.	1	A
Hydroxyamphetamine	Paradrine	1	A	Phenmetrazine	Preludin	1	A
Levorphanol	Levo-Dremoran	1	A	Picrotoxin		1	A
Lofentanil		1	A	Piritramide		1	A
Mazindol	Sanorex	1	A	Remifentanil	Ultiva	1	A
Meperidine	Demerol	1	A	Strychnine		1	B
Mephentermine		1	A	Sufentanil	Sufenta	1	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Acecarbromal		2	A	Bentazepam	Tiadipona	2	A
Acetophenazine	Tindal	2	A	Benzactizine	Deprol, Bronchodiletten	2	A
Adinazolam		2	A	Benzoctamine		2	A
Alcuronium	Alloferin	2	A				
Alphaprodine	Nisentil	2	A	Benzphetamine	Didrex	2	A
Alpidem	Anaxyl	2	A	Benztropine	Cogentin	2	A
Alprazolam	Xanax	2	A	Biriperone		2	A
Althesin	Saffan	2	A	Bromazepam	Lexotan, Lectopam	2	A
Amisulpride	Solian	2	A	Bromisovalum	Diffucord, etc.	2	A
Amitriptyline	Elavil, Amitril, Endep	2	A	Bromocriptine	Parlodel	2	A
Amobarbital	Amytal	2	A	Bromperidol	Bromidol	2	A
Amoxapine	Asendin	2	A	Brotizolam	Brotocol	2	A
Amperozide		2	A	Bupivacaine	Marcaine	2	A
Anilopam	Anisine	2	A	Buprenorphine	Temgesic	2	A
Aprobarbital	Alurate	2	A	Buspirone	Buspar	2	A
Azacylonol	Frenque	2	A	Buspropion	Wellbutrin	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A	Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Barbital	Veronal	2	A	Butalbital (Talbutal)	Fiorinal	2	A
				Butanilicaine	Hostacain	2	A
Bemegride	Megimide, Mikedimide	2	A	Butaperazine	Repoise	2	A
Benperidol		2	A	Butoctamide	Listomin	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Caffeine		2	B	Clocapramine		2	A
Camazepam	Paxor	2	A	Clomethiazole		2	A
Captodiamine	Covatine	2	A	Clomipramine	Anafranil	2	A
Carbidopa + levodopa	Sinemet	2	A	Clonazepam	Klonopin	2	A
Carbromol	Mifudorm	2	A	Clorazepate	Tranxene	2	A
Carphenazine	Proketazine	2	A	Clothiapine	Entermin	2	A
Carpipramine	Prazinil	2	A	Clotiazepam	Trecalmo, Rize	2	A
Chloralose (Alpha-Chloralose)		2	A	Cloxacolam	Enadel, Sepazon, Tolestan	2	A
Chloral betaine	Beta-Chlor	2	A	Clozapine	Clozaril, Leponex	2	A
Chloral hydrate	Nactec, Oridrate, etc.	2	A	Codeine		2	A B
Chloraldehyde (chloral)		2	A	Conorphone		2	A
Chlordiazepoxide	Librium	2	A	Corticaine	Ultracain	2	A
Chlormezanone	Trancopal	2	A	Crotetamide		2	A
Chloroform		2	A	Cyamemazine	Tercian	2	A
Chlorhexidol		2	A	Cyclobarbitol	Phanodorm	2	A
Chloroprocaine	Nesacaine	2	A	Decamethonium	Syncurine	2	A
Chlorproethazine	Newiplege	2	A	Demoxepam		2	A
Chlorpromazine	Thorazine, Largactil	2	A	Desipramine	Norpromine, Pertofrane	2	A
Chlorprothixene	Taractan	2	A	Dezocine	Dalgan®	2	A
Citalopram	Celex	2	A	Diazepam	Valium	2	B
Clobazam	Urbanyl	2	A	Dichloralphenazone	Febenol, Isocom	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Diethylpropion	Tepanil, etc.	2	A	Etidocaine	Duranest	2	A
Diethylthiambutene	Themalon	2	A	Etifoxin	Stresam	2	A
Dihydrocodeine	Parcodin	2	A	Etizolam	Depas, Pasaden	2	A
Dilorazepam	Briantum	2	A	Etodroxizine	Indunox	2	A
Diprenorphine	M50/50	2	A	Etomidate		2	A
Dixyrazine	Esucos	2	A	Fenarbamate	Tymium	2	A
Dopamine	Intropin	2	A	Fenfluramine	Pondimin	2	A
Doxapram	Dopram	2	A	Fluanisone	Sedalande	2	A
Doxefazepam	Doxans	2	A	Fludiazepam	Erispam	2	A
Doxepin	Adapin, Sinequan	2	A	Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A	Fluopromazine	Psyquil, Siquil	2	A
Enciprazine		2	A	Fluoresone	Caducid	2	A
Ephedrine		2	A	Fluoxetine	Prozac	2	A
Epinephrine		2	A	Flupenthixol	Depixol, Fluanxol	2	A
Erythropoietin (EPO)	Epogen, Procrit, etc.	2	A	Fluphenazine	Prolixin, Permitil, Anatenzol	2	A B
Estazolam	Domnamid, Eurodin, Nuctalon	2	A	Flurazepam	Dalmane	2	A
Ethamivan		2	A	Fluspirilene	Imap, Redeptin	2	A
Ethchlorvynol	Placidyl	2	A	Flutoprazepam	Restas	2	A
Ethinamate	Valmid	2	A	Fluvoxamine	Dumirox, Faverin, etc.	2	A
Ethopropazine	Parsidol	2	A	Gallamine	Flaxedil	2	A
Ethylisobutrazine	Diquel	2	A	Gepirone		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Glutethimide	Doriden	2	A	Lithium	Lithizine, Duralith, etc.	2	A
Halazepam	Paxipam	2	A	Lobeline		2	A
Haloperidol	Haldol	2	A	Loflazepate, Ethyl	Victan	2	A
Haloxazolam	Somelin	2	A	Loprazolam	Dormonort, Havlane	2	A
Hemoglobin glutamers	Oxyglobin, Hemopure	2	A	Lorazepam	Ativan	2	A
Hexafluorenium	Myalexen	2	A	Lormetazepam	Noctamid	2	A
Hexobarbital	Evipal	2	A	Loxapine	Laxitane	2	A
Homophenazine	Pelvichthol	2	A	Maprotiline	Ludiomil	2	A
Hydrocodone (dihydrocodeinone)	Hycodan	2	A	Mebutamate	Axiten, Dormate, Capla	2	A
Hydroxyzine	Atarax	2	B	Meclofenoxate	Lucidril, etc.	2	A
Ibomal	Noctal	2	A	Medazepam	Nobrium, etc.	2	A
Imipramine	Imavate, Presamine, Tofranil	2	A	Melperone	Eunerpan	2	A
Isapirone		2	A	Meparfynol	Oblivon	2	A
Isocarboxazid	Marplan	2	A	Mepazine	Pacatal	2	A
Isomethadone		2	A	Mephenoxalone	Control, etc.	2	A
Isoproterenol	Isoprel	2	A	Mephenytoin	Mesantoin	2	A
Ketamine	Ketalar, Ketaset, Vetalar	2	B	Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Ketazolam	Anxon, Laffram, Solatran, Loftran	2	A	Mepivacaine	Carbocaine	2	B
Lenperone	Elanone-V	2	A	Meproamate	Equanil, Miltown	2	<u>A-B</u>
Levomethorphan		2	A	Mesoridazine	Serentil	2	A
Lidocaine	Xylocaine	2	B	Metaclozepam	Talis	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Metazocine		2	A	Nortriptyline	Aventyl, Pamelor	2	A
Metharbital	Gemonil	2	A	Olanzapine	Zyprexa	2	A
Methohexital	Brevital	2	A	Oxazepam	Serax	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A	Oxazolam	Serenal	2	A
Methypylon	Noludar	2	A	Oxyperitine	Forit, Integrin	2	A
Metocurine	Metubine	2	A	Pancuronium	Pavulon	2	A
Metomidate	Hypnodil	2	A	Paraldehyde	Paral	2	A
Mexazolam	Melex	2	A	Paroxetine	Paxil, Seroxat	2	A
Midazolam	Versed	2	A	Penfluridol	Cyperon	2	A
Mirtazepine	Remeron	2	A	Pentobarbital	Nembutal	2	A
Modafinil	Provigil	2	A	Perazine	Taxilan	2	A
Molindone	Moban	2	A	Periciazine	Alodept, etc.	2	A
Moperone	Luvatren	2	A	Perlapine	Hypnodin	2	A
Mosaprimine		2	A	Perphenazine	Trilafon	2	A
Nalbuphine	Nubain	2	A	Phenaglycodol	Acalo, Alcamid, etc.	2	A
Nalorphine	Nalline, Lethidrone	2	A	Phenelzine	Nardelzine, Nardil	2	A
Nefazodone	Serzone	2	A	Phenobarbital	Luminal	2	A
Nimetazepam	Erimin	2	A	Phentermine	Iomamin	2	A
Nitrazepam	Mogadon	2	A	Piminodine	Alvodine, Cimadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A	Pimozide	Orap	2	A
Norepinephrine		2	A	Pinazepam	Domar	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Pipamperone	Dipiperon	2	A	Quetiapine	Seroquel	2	A
Pipequaline		2	A	Racemethorphan		2	A
Piperacetazine	Psymod, Quide	2	A	Racemorphan		2	A
Piperocaine	Metycaine	2	A	Raclopride		2	A
Pipotiazine	Lonseren, Piportil	2	A	Remoxipride	Roxiam	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A	Reserpine	Serpasil	2	A B
Piquindone		2	A	Rilmazafone		2	A
Prazepam	Verstran, Centrax	2	A	Risperidone		2	A
Prilocaine	Citanest	2	A	Ritanserlin		2	A
Prochlorperazine	Darbazine, Compazine	2	A	Rivastigmine	Exelon	2	A
Propanidid		2	A	Romifidine	Sedivet	2	B
Propiomazine	Largon	2	A	Ropivacaine	Naropin	2	A
Propionylpromazine	Tranvet	2	A B	Secobarbital (Quinalbarbitone)	Seconal	2	A
Propiram		2	A	Selegiline	Eldepryl, Jumex	2	A
Propofol	Diprivan, Disoprivan	2	A	Sertraline	Lustral, Zoloft	2	A
Propoxycaine	Ravocaine	2	A	Snake Venoms		2	A
Prothipendyl	Dominal	2	A	Spiclomazine		2	A
Protriptyline	Concordin, Triptil	2	A	Spiperone		2	A
Proxibarbitol	Axeen, Centralgol	2	A	Succinylcholine	Sucostrin, Quelin, etc.	2	A
Pyrithyldione	Hybersulfan, Sonodor	2	A	Sulfondiethylmethane		2	A
Quazipam	Doral	2	A	Sulfonmethane		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Sulforidazine	Inofal	2	A	Tribromethanol		2	A
Sulpiride	Aiglonyl, Sulpitil	2	A	Tricaine methanesulfonate	Finquel	2	A
Sultopride	Barnetil	2	A	Trichloroethanol		2	A
Talbutal	Lotusate	2	A	Trichloroethylene	Trilene, Trimar	2	A
Tandospirone		2	A	Triclofos	Triclos	2	A
Temazepam	Restoril	2	A	Trifluomeprazine	Nortran	2	A
Tetrabenazine	Nitoman	2	A	Trifluoperazine	Stelazine	2	A
Tetracaine	Pontocaine	2	A B	Trifluoperidol	Triperidol	2	A
Tetrazepam	Musaril, Myolastin	2	A	Triflupromazine	Vetame, Vesprin	2	A
Thebaine		2	A	Trimipramine	Surmontil	2	A
Thialbarbital	Kemithal	2	A	Tubocurarine (Curare)	Metubin	2	A
Thiamylal	Surital	2	A	Tybamate	Benvil, Nospan, etc.	2	A
Thiethylperazine	Torecan	2	A	Urethane		2	A
Thiopental	Pentothal	2	A	Valnoctamide	Nirvanyl	2	A
Thiopropazate	Dartal	2	A	Venlafaxine	Efflexor	2	A
Thiopropazine	Majeptil	2	A	Veralipride	Accional, Veralipril	2	A
Thioridazine	Mellaril	2	A	Vercuronium	Norcuron	2	A
Thiothixene	Navane	2	A	Viloxazine	Catatrol, Vivalan, etc.	2	A
Tiapride	Italprid, Luxoben, etc.	2	A	Vinbarbital	Delvinol	2	A
Tiletamine	Component of Telazol	2	A	Vinylbital	Optanox, Speda	2	A
Timiperone	Tolopelon	2	A	Yohimbine		2	A
Tofisopam	Grandaxain, Seriel	2	A	Zolazepam		2	A
Topirimate	Topamax	2	A	Zolpidem	Ambien, Stilnox	2	A
Tramadol	Ultram	2	A	Zopiclone	Imovan	2	A
Tranylcypromine	Parnate	2	A	Zotepine	Lodopin	2	A
Trazodone	Desyrel	2	A	Zuclopenthixol	Ciatyl, Cesordinol	2	A
Triazolam	Halcion	2	A				

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Acebutolol	Sectral	3	B	Butorphanol	Stadol, Torbugesic	3	B
Acepromazine	Atrovet, Notensil, PromAce®	3	B	Candesartan	Atacand	3	B
Albuterol (Salbutamol)	Proventil, Ventolin	3	B	Captopril	Capoten	3	B
Alprenolol		3	A	Carazolol	Carbacef, Conduction	3	A
Amibenonium	Mytelase, Myeuran	3	B	Carbachol	Lentin, Doryl	3	B
Aminophylline	Aminophyllin, etc.	3	B	Carbamezapine	Tegretol	3	B
Amlodipine	Norvasc	3	A	Carbinoxamine	Clistin	3	B
Amyl nitrite		3	A	Carteolol	Cartrol	3	B
Arecoline		3	A	Carvedilol	Coreg	3	B
Atenolol	Tenormin	3	B	Cimeterol		3	A
Atropine		3	B	Clenbuterol	Ventipulmin	3	B
Betaxolol	Kerlone	3	B	Clonidine	Catapres	3	B
Bethanidine	Esbatal	3	A	Cyclandelate	Cyclospasmol	3	A
Biperiden	Akineton	3	A	Cycrimine	Pagitane	3	B
Bisoprolol	Zebeta, Bisobloc, etc.	3	B	Detomidine	Dormosedan	3	B
Bitolterol	Effectin	3	A B	Dextropropoxyphene	Darvon	3	B
Bretylum	Bretylol	3	B	Diazoxide	Proglycem	3	B
Brimonidine	Alphagan	3	B	Dimeflin		3	A
Bromfenac	Duract	3	A	Diphenhydramine	Benadryl	3	B
Bromodiphenhydramine		3	B	Dipyridamole	Persantine	3	B
Bumetanide	Bumex	3	B	Dobutamine	Dobutrex	3	B

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Doxylamine	Decapryn	3	B	Hydralazine	Apresoline	3	B
Dyphylline		3	B	Ipratropium		3	B
Edrophonium	Tensilon	3	B	Irbesarten	Avapro	3	A
Enalapril (metabolite enalaprilat)	Vasotec	3	B	Isoetharine	Bronkosol	3	B
Erthrityl tetranitrate	Cardilate	3	A	Isosorbide dinitrate	Isordil	3	B
Esmolol	Brevibloc	3	B	Ketorolac	Toradol	3	A B
Etamiphylline		3	B	Labetalol	Normodyne	3	B
Ethacrynic acid	Edecrin	3	B	Losartan	Hyzaar	3	B
Ethylnorepinephrine	Bronkephrine	3	A	Mabuterol		3	A
Fenoldopam	Corlopam	3	B	Mecamylamine	Inversine	3	B
Fenoterol	Berotec	3	B	Medetomidine	Domitor	3	B
Fenspiride	Respiride, Respan, etc	3	B	Metaproterenol	Alupent, Metaprel	3	B
Flupirtine	Katadolone	3	A	Methacholine		3	A
Formoterol	Altram	3	B	Methixene	Trest	3	A
Gabapentin	Neurontin	3	A B	Methoxamine	Vasoxyl	3	A
Glycopyrrolate	Robinul	3	B	Methoxyphenamine	Orthoxide	3	A
Guanadrel	Hylorel	3	A	Methylatropine		3	B
Guanethidine	Ismelin	3	A	Methyldopa	Aldomet	3	A
Guanabenz	Wytensin	3	B	Metolazone		3	B
Heptaminol	Corofundol	3	B	Metoprolol	Lopressor	3	B
Homatropine	Homapin	3	B	Mibefradil	Posicor	3	B

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Midodrine	Pro-Amiline	3	B	Pindolol	Viskin	3	B
Minoxidil	Loniten	3	B	Pirbuterol	Maxair	3	B
Moexipril (metabolite moexiprilat)	Uniretic	3	B	Piretanide	Arelix, Tauliz	3	B
Muscarine		3	A	Prazosin	Minipress	3	B
Nadolol	Corgard	3	B	Primidone	Mysoline	3	B
Naratriptan	Amerge	3	B	Procaine		3	B
Nefopam		3	A	Procaterol	Pro Air	3	A
Neostigmine	Prostigmine	3	B	Procyclidine	Kemadrin	3	B
Nitroglycerin		3	B	Promazine	Sparine	3	B
Oxprenolol	Trasicor	3	B	Promethazine	Phenergan	3	B
Papaverine	Pavagen, etc.	3	A	Propentophylline	Karsivan	3	B
Paramethadione	Paradione	3	A	Propranolol	Inderal	3	B
Pargyline	Eutonyl	3	A	Protokylol	Ventaire	3	A
Penbutolol	Levatol	3	B	Pseudoephedrine	Cenafed, Novafed	3	B
Pentaerythritol tetranitrate	Duotrate	3	A	Pyridostigmine	Mestinon, Regonol	3	B
Pentazocine	Talwin	3	B	Pyrilamine	Neoantergan, Equihist	3	B
Phenoxybenzamine	Dibenzylamine	3	B	Ractopamine	Raylean	3	B
Phentolamine	Regitine	3	B	Ritodrine	Yutopar	3	B
Phenylephrine	Isophrin, Neo-Synephrine	3	B	Rizatriptan	Maxalt	3	B
Phenylpropanolamine	Propadrine	3	B	Salmeterol		3	B
Physostigmine	Eserine	3	A	Scopolamine (Hyoscine)	Triptone	3	B

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	RCI Class	Penalty Class
Sibutramine	Meridia	3	B
Sotalol	Betapace, Sotacor	3	B
Sumatriptan	Imitrex	3	B
Telmisartan	Micardis	3	B
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
Theophylline	Aqualphyllin, etc.	3	B
Timolol	Blocardrin	3	B
Tolazoline	Priscoline	3	B
Torsemide (Torasemide)	Demadex	3	A B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
Valsartan	Diovan	3	B
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
Zonisamide	Zonegran	3	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Acetaminophen (Paracetamol)	Tylenol, Tempra, etc.	4	C	Baclofen	Lioresal	4	B
Acetanilid		4	B	Beclomethasone	Propaderm	4	C
Acetazolamide	Diamox, Vetamox	4	B	Benazepril	Lotrel	4	B
Acetophenetidin (Phenacetin)		4	B	Bendroflumethiazide	Naturetin	4	B
Acetylsalicylic acid (Aspirin)		4	C	Benoxaprofen		4	B
Alclofenac		4	B	Benoxinate	Dorsacaine	4	C
Aclomethasone	Aclovate	4	C	Benzocaine		4	B C
Aldosterone	Aldocortin, Electro cortin	4	B	Benzthiazide		4	B
Ambroxol	Ambril, etc.	4	B	Bepidil	Bepadin	4	B
Amcinonide	Cyclocort	4	C	Betamethasone	Betasone, etc.	4	C
Aminocaproic acid	Amicar, Caprocid	4	C	Bethanechol	Urecholine, Duvoid	4	C
Aminodarone		4	B	Boldenone	Equipoise	4	C
2-Aminoheptaine	Tuamine	4	B	Bromhexine	Oletor, etc.	4	B C
Aminopyrine		4	B	Brompheniramine	Dimetane, Disomer	4	B
Amisometradine	Rolictron	4	B	Budesonide	Pulmacort, Rhinocort	4	C
Amlopidine	Norvasc, Ammivin	4	B	Butacaine	Butyn	4	B
Amrinone		4	B	Butamben (butyl aminobenzoate)	Butesin	4	C
Anisotropine	Valpin	4	B	Butoxycaine	Stadacain	4	B
Antipyrine		4	B	Calusterone	Methosorb	4	C
Apazone (Azapropazone)	Rheumox	4	B	Camphor		4	C
Aprindine		4	B	Carisoprodol	Relo, Soma	4 2	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Celecoxib	Celebrex	4	B C	Cyproheptadine	Periactin	4	C
Chlormerodrin	Neohydrin	4	B	Danazol	Danocrine	4	C
Chlorophenesin	Maolate	4	C	Dantrolene	Dantrium	4	C
Chloroquine	Avloclor	4	C	Dembroxol (Dembrexine)	Sputolysin	4	C
Chlorothiazide	Diuril	4	B	Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Chlorpheniramine	Chlortriemton, etc.	4	B	Desonite	Des Owen	4	C
Chlorthalidone	Hydroton	4	B	Desoximetasone	Topicort	4	C
Chlorzoxazone	Paraflex	4	B	Dexamethasone	Azium, etc.	4	C
Cinchocaine	Nupercaine	4	C	Dextromethorphan		4	B C
Clibucaine	Batrax	4	C	Dibucaine	Nupercainal, Cinchocaine	4	C
Clidinium	Quarezan, Clindex, etc.	4	B	Dichlorphenamide	Daramide	4	C
Clobetasol	Temovate	4	C	Diclofenac	Voltaren, Voltarol	4	C
Clocortolone	Cloderm	4	C	Diflorasone	Florone, Maxiflor	4	C
Clofenamide		4	B	Diflucortolone	Flu-Cortinest, etc.	4	C
Clormecaine	Placacid	4	C	Diflunisal		4	B
Colchicine		4	B	Digitoxin	Crystodigin	4	B
Cortisone	Cortone, etc.	4	C	Digoxin	Lanoxin	4	B
Cyclizine	Merazine	4	B	Dihydroergotamine		4	B C
Cyclobenzaprine	Flexeril	4	B	Diltiazem	Cardizem	4	B
Cyclomethylcaine	Surfacaine	4	C	Dimethisoquin	Quotane	4	B
Cyclothiazide	Anhydron, Renazide	4	B	Diphenoxylate	Difenoxin, Lomotil	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Dipyron	Novin, Methampyrone	4	C	Floctafenine	Idalon, Idarac	4	B
Disopyramide	Norpace	4	B	Flucinolone	Synalar, etc.	4	C
Dromostanolone	Drolban	4	C	Fludrocortisone	Alforone, etc.	4	C
Dyclonine	Dyclone	4	C	Flufenamic acid		4	B C
Eltenac		4	C	Flumethasone	Flucort, etc.	4	C
Ergonovine	Ergotrate	4	C	Flumethiazide	Ademol	4	B
Ergotamine	Gynergen, Cafergot, etc.	4	B C	Flunarizine	Sibelium	4	B
Etanercept	Enbrel	4	B	Flunisolide	Bronilide, etc.	4	C
Ethoheptazine	Zactane	4	B	Flunixin	Banamine	4	C
Ethosuximide	Zarontin	4	B	Fluocinolone	Synalar	4	C
Ethotoin	Peganone	4	B	Fluocinonide	Licon, Lidex	4	C
Ethoxzolamide	Cardrase, Ethamide	4	C	Fluoroprednisolone	Predef-2X	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C	Fluoxymesterone	Halotestin	4	C
Ethylestrenol	Maxibolin, Organon	4	C	Fluprednisolone	Alphadrol	4	C
Etodolac	Lodine	4	C	Flurandrenolide	Cordran	4	C
Felodipine	Plendil	4	B	Flurbiprofen	Froben	4	B
Fenbufen	Cincopal	4	B	Fluticasone	Flixonase, Flutide	4	C
Fenclozic acid	Myalex	4	B	Guaifenesin (glycerol guiacolate)	Gecolate	4	C
Fenoprofen	Nalfon	4	B C	Halcinonide	Halog	4	C
Fexofenadine	Allegra	4	C	Halobetasol	Ultravate	4	C
Flecainide	Idalon	4	B	Hexocyclium	Tral	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Hexylcaine	Cyclaine	4	C	Meloxicam	Mobic	4	B C
Hydrochlorthiazide	Hydrodiuril	4	B C	Mepenzolate	Cantil	4	B
Hydrocortisone (Cortisol)	Cortef, etc.	4	C	Mephenesin	Tolserol	4	B
Hydroflumethiazide	Saluron	4	B	Meralluride	Mercuhydrin	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	C	Merbaphen	Novasural	4	B
Indomethacin	Indocin	4	B C	Mercaptomerin	Thiomerin	4	B
Infliximab	Remicade	4	B	Mercumalilin	Cumertilin	4	B
Isoflupredone	Predef	4	C	Mersalyl	Salyrgan	4	B
Isometheptene	Octin, Octon	4	B	Metaxalone	Skelaxin	4	B
Isopropamide	Darbid	4	B	Methandriol	Probolic	4	C
Isoxicam	Maxicam	4	B	Methandrostenolone	Dianabol	4	C
Isoxsuprine	Vasodilan	4	C	Methantheline	Banthine	4	B
Isradipine	DynaCirc	4	B	Methapyrilene	Histadyl, etc.	4	B
Ketoprofen	Orudis	4	C	Methazolamide	Naptazane	4	C
Letosteine	Viscotiol, Visiotol	4	C	Methdilazine	Tacaryl	4	B
Loperamide	Imodium	4	B	Methocarbamol	Robaxin	4	B C
Loratidine	Claritin	4	B	Methotrexate	Folex, Nexate, etc.	4	B
Mecizine	Antivert, Bonine	4	B	Methscopolamine	Pamine	4	B
Meclofenamic acid	Arquel	4	C	Methsuximide	Celontin	4	B
Medrysone	Medriusar, etc.	4	C	Methylchlorthiazide	Enduron	4	B
Mefenamic acid	Ponstel	4	B-C	Methandrostenolone	Dianabol	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Methylergonovine	Methergine	4	C	Nortestosterone		4	C
Methylprednisolone	Medrol	4	C	Orphenadrine	Norflex	4	B
Methyltestosterone	Metandren	4	C	Oxandrolone	Anavar	4	C
Methysergide	Sansert	4	B	Oxaprozin	Daypro, Deflam	4	C
Metiamide		4	B	Oxymetazoline	Afrin	4	B
Metoclopramide	Reglan	4	C	Oxymetholone	Adroyd, Anadrol	4	C
Mexilitine	Mexilil	4	B	Oxyphenbutazone	Tandearil	4	C
Milrinone		4	B	Oxyphencyclimine	Daricon	4	B
Mometasone	Elocon	4	C	Oxyphenonium	Antrenyl	4	B
Montelukast	Singulair	4	C	Paramethasone	Haldrone	4	C
Nabumetone	Anthraxan, Relafen, Reliflex	4	B	Pentoxyfylline	Trental, Vazofirin	4	C
Naepaine	Amylsine	4	C	Phenacetamide	Phenurone	4	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	4	C	Phensuximide	Milontin	4	B
Naphazoline	Privine	4	B	Phenytoin	Dilantin	4	B
Naproxen	Equiproxen, Naprosyn	4	C	Piroxicam	Feldene	4	B C
Nicardipine	Cardine	4	B	Polythiazide	Renese	4	B
Nifedipine	Procardia	4	B	Pramoxine	Tronothaine	4	C
Niflumic acid	Nifluril	4	B	Prednisolone	Delta-Cortef, etc.	4	C
Nimesulide		4	B	Prednisone	Meticorten, etc.	4	C
Nimodipine	Nemotop	4	B	Probenecid		4	C
Norethandrone		4	C	Procainamide	Pronestyl	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	RCI Class	Penalty Class	Drug	Trade Name	RCI Class	Penalty Class
Propafenone	Rythmol	4	B	Tocainide	Tonocard	4	B
Propantheline	Pro-Banthine	4	B	Tolmetin	Tolectin	4	B
Proparacaine	Ophthaine	4	C	Tranexamic acid		4	C
Propylhexedrine	Benzedrex	4	B	Trenbolone	Finoplix	4	C
Quinidine	Quinidex, Quinocardine	4	B	Triamcinolone	Vetalog, etc.	4	C
Rofecoxib	Vioxx	4	B-C	Triamterene	Dyrenium	4	B
Salicylamide		4	C	Trichlormethiazide	Naqua, Naquasone	4	C
Salicylate		4	C	Tolmetin	Tolectin	4	B
Spironalactone	Aldactone	4	B				
Stanozolol	Winstrol-V	4	C	Tridihexethyl	Pathilon	4	B
Sulfasalazine	Azulfidine, Azaline	4	C	Trimeprazine	Temaril	4	B
Sulindac	Clinoril	4	B	Tripolidine	Actidil	4	B
Tenoxicam	Alganex, etc.	4	B	Tuaminoheptane	Tuamine	4	C
Terfenadine	Seldane, Triludan	4	B	Vedaprofen		4	B-C
Testosterone		4	C	Verapamil	Calan, Isoptin	4	B
Tetrahydrozoline	Tyzine	4	B	Xylometazoline	Otrivin	4	B
Theobromine		4	B-C	Zafirlukast	Accolate	4	C
Thiosalicylate		4	C	Zeranol	Ralgro	4	C
Thiphenamil	Trocinate	4	B	Zileuton	Zyflo	4	C
Tiaprofenic acid	Surgam	4	B	Zomepirac	Zomax	4	B

Listing by Classification

Class 5: This class includes those therapeutic medications for which concentration limits have been established by the racing jurisdictions as well as certain miscellaneous agents such as DMSO and other medications as determined by the regulatory bodies.

Drug	Trade Name	RCI Class	Penalty Class
Anisindione		5	D
Cilostazol	Pletal	5	D
Cimetidine	Tagamet	5	D
Cromolyn	Intel	5	D
Dicumarol	Dicumarol	5	D
Dimethylsulfoxide (DMSO)	Domoso	5	D
Dimethylsulphone (MSM)		5	D
Diphenadione		5	D
Famotidine	Gaster, etc.	5	D
Lansoprazole		5	D
Misoprostel	Cytotec	5	D
Nedocromil	Tilade	5	D
Nizatidine	Axid	5	D
Omeprazole	Prilosec, Losec	5	D
Phenindione	Hedulin	5	D
Phenprocoumon	Liquamar	5	D
Pirenzapine	Gastrozepin	5	D
Ranitidine	Zantac	5	D
Warfarin	Coumadin, Coufarin	5	D

RMTC PENALTIES WITH CHRB SUGGESTED CHANGES**CLASS 2****Barbiturates**

Remove.

They are a class of drugs, individual drugs within this class are listed separately. .

Benzodiazepines

Remove.

They are a class of drugs, individual drugs within this class are listed separately.

Codeine

Change to penalty B.

Morphine can be a metabolite of codeine. Morphine is a penalty B drug.

Fluphenazine

Change to penalty B.

Used as a therapeutic medication by some California practitioners and has been listed as a "therapeutically" necessary medication by AAEP.

Meprobamate

Change to penalty B.

Can be a metabolite of carisoprodol and carisoprodol is a penalty B drug.

Propionylpromazine

Change to penalty B.

Same type of drug as acepromazine and promazine, which are penalty B drugs.

Reserpine

Change to penalty B.

Used as a therapeutic drug by some California practitioners and has been listed as a "therapeutically necessary medication by AAEP.

Tetracaine

Change to penalty B.

Other local anesthetics, such as lidocaine and mepivacaine, are penalty B drugs.

CLASS 3**Bitolterol**

Change to penalty B.

Other bronchodilators, such as albuterol and clenbuterol, are penalty B drugs.

Gabopentin

Change to penalty B.

Latest RCI Drug Classification Guidelines have as class 4. Therefore a penalty B is more appropriate.

Ketorolac

Change to penalty B.

A NSAID that has considerable analgesic properties.

Toresimide

Change to penalty B.

Similar to furosemide which is a penalty B drug.

CLASS 4**Benzocaine**

Change to penalty C.

This is the same drug as ethylaminobenzoate, which is a penalty C drug.

Bromhexine

Change to penalty C.

A mucolytic drug similar to dembrexine which is a penalty C drug.

Carisoprodol

No penalty change recommended.

However, the latest RCI Drug Classification guidelines list as a class 2 drug.

Celecoxib

Change to penalty C.

Most NSAIDs are penalty C drugs.

Dextromethorphan

Change to penalty C.

Primarily used as a cough suppressant, and is an ingredient in several OTC cough meds.

Dihydroergotamine and ergotamine

Change to penalty C.

Similar to ergonovine, which is a penalty C.

Fenoprofen

Change to penalty C.

Most NSAIDs are penalty C.

Flufenamic acid

Change to penalty C.

Most NSAIDs are penalty C.

Hydrochlorthiazide

Change to penalty C.

Diuretic, similar to tricholrmethiazide, which is a penalty C drug.

Indomethacin

Change to penalty C.

Most NSAIDs are penalty C drugs.

Mefenamic acid

Change to penalty C.

Most NSAIDs are penalty C drugs.

Meloxicam

Change to penalty C.

Most NSAIDs are penalty C drugs.

Methocarbamol

Change to penalty C.

Commonly used therapeutic muscle relaxant which has a fairly long elimination time.

Piroxicam

Change to penalty C.

Most NSAIDs are penalty C drugs.

Rofecoxib

Change to penalty C.

Most NSAIDs are penalty C drugs.

Theobromine

Change to penalty C.

Same class of drugs as caffeine and theophylline, but has much lower potency and little effect on CNS.

Transexamic acid

Leave as penalty C

This drug is listed twice. Remove entry with penalty D.

Vedaprofen

Change to penalty C.

Most NSAIDs are penalty C drugs.

CLASS 5

Polyethylene glycol

Remove from list.

This is not a drug, but is used in some pharmaceutical preparations and can interfere with TLC screening. California no longer uses TLC screening.

RACING MEDICATION AND TEST CONSORTIUM

SECTION VII: PENALTIES

DRAFT

JUNE 28, 2005

- A regulatory distinction must be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in a test sample on race day.
- Penalties for all medication and drug violations should be investigated and reviewed on a case-by-case basis. Extenuating factors include, but are not limited to:
 - The past record of the trainer, veterinarian and owner in drug cases;
 - The potential of the drug(s) to influence a horse's racing performance;
 - The legal availability of the drug;
 - Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
 - The steps taken by the trainer to safeguard the horse;
 - The probability of environmental contamination or inadvertent exposure due to human drug use;
 - The purse of the race;
 - Whether the drug found was one for which the horse was receiving a treatment as determined by Medication Report Form, and;
 - Whether there was any suspicious betting pattern in the race.
 - Whether the licensed trainer was acting under the advice of a licensed veterinarian.

There may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors which may increase the penalty beyond the minimum.

- A uniform, reasonable and equitable penalty schedule has been developed for each drug listed in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances. Each drug was placed in one of four penalty schedules based upon the following criteria:
 - Whether the drug is approved by the U.S. Food and Drug Administration for use in the horse;
 - Whether the drug is approved by the U.S. Food and Drug Administration for use in any species;
 - Whether the drug has any legitimate therapeutic application in the equine athlete;
 - Whether the drug was identified as "necessary" by the RMTC Veterinary Advisory Committee
 - Whether legitimate, recognized therapeutic alternatives exist;
 - The current RCI Class of the drug.

- The following are recommended penalties for violations due to the presence of a Category “A” drug in pre- or post-race samples and for violations of Section V: Prohibited Practices:

LICENSED TRAINER:		
1st offense	2nd LIFETIME offense	3rd LIFETIME offense
<ul style="list-style-type: none"> ◦ Minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$10,000 or 10% of advertised purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$25,000 or 25% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Commission for any further action deemed necessary by the Commission. 	<ul style="list-style-type: none"> ◦ Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a three-year period. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$25,000 or 25% of advertised purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 or 50% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Commission for any further action deemed necessary by the Commission. 	<ul style="list-style-type: none"> ◦ Minimum five-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a five-year period. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$50,000 or 50% of advertised purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	2nd LIFETIME offense in owner's stable	3rd LIFETIME offense in owner's stable
<ul style="list-style-type: none"> ◦ Disqualification and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for 90 days and must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> ◦ Disqualification and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for 120 days and must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> ◦ Disqualification, loss of purse and \$50,000 fine. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for 180 days and must pass a commission-approved examination before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Referral to the Commission with a recommendation of a suspension for a minimum of 90 days.

- The following are recommended penalties for violations due to the presence of a Category “B” drug in pre- or post-race samples, for the presence of more than one NSAID in a plasma/serum sample, subject to the provisions set forth in Section II and for violations of the established levels for total carbon dioxide:

LICENSED TRAINER:		
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
<ul style="list-style-type: none"> ◦ Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$1,000. 	<ul style="list-style-type: none"> ◦ Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$2,500. 	<ul style="list-style-type: none"> ◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	2nd offense in stable (365-day period)	3rd offense in stable (365-day period)
<ul style="list-style-type: none"> ◦ Disqualification and loss of purse in the absence of mitigating circumstances. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> ◦ Disqualification and loss of purse in the absence of mitigating circumstances. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> ◦ Disqualification, loss of purse and \$5,000 fine in the absence of mitigating circumstances. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

- The following are recommended penalties for violations due to the presence of a Category “C” drugs and overages for permitted NSAIDs and furosemide in pre- or post-race samples:

LICENSED TRAINER	Phenylbutazone (5.1-9.9 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (11-49 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered**	Phenylbutazone (≥10.0 mcg/ml) Flunixin (≥100 ng/ml) Ketoprofen (≥50 ng/ml) and CLASS C Violations
1 st Offense (365-day period)	Minimum fine of \$250 absent mitigating circumstances	Minimum fine of \$500 absent mitigating circumstances
2 nd Offense (365-day period)	Minimum fine of \$500 absent mitigating circumstances	Minimum fine of \$1,000 and 15-day suspension absent mitigating circumstances
3 rd Offense (365-day period)	Minimum fine of \$1,000 and 15-day suspension absent mitigating circumstances	Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances
LICENSED OWNER	Phenylbutazone (5.1-9.9 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (11-50 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered**	Phenylbutazone (>10.0 mcg/ml) Flunixin (>100 ng/ml) Ketoprofen (>50 ng/ml) AND CLASS C VIOLATIONS
1 st Offense (365-day period)		Loss of purse. Horse must pass commission-approved examination before being eligible to run
2 nd Offense (365-day period)		Loss of purse. If same horse, placed on veterinarian's list for 45 days, must pass commission-approved examination before being eligible to run
3 rd Offense (365-day period)		Loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass commission-approved examination before being eligible to run

All concentrations are for measurements in serum or plasma.

- Any Category “D” drug found to be present in a pre- or post-race sample may result in a written warning.
- Any drug or metabolite thereof found to be present in a pre- or post-race sample which is not classified in the most current RCI Uniform Classification Guidelines for Foreign Substances shall be classified by the regulatory body, which may seek the assistance of the Racing Commissioners International Drug Testing Standards and Practices Committee and/or the Racing Medication and Testing Consortium.
- The administration of a drug to a racing horse must be documented by the treating veterinarian through the filing of a Medication Report Form prescribed by the regulatory agency and filed with the regulatory agency designee at the racetrack where the horse is entered to run or as otherwise specified by the regulatory agency. The Medication Report Form must be filed not later than post time of the race for which the horse is entered. A timely and accurate filing of the Medication Report Form that is consistent with the analytical results of a positive test may be a mitigating factor in determining the nature and extent, if any, of a rules violation.
- Any veterinarian licensed by the regulatory agency or other licensee found to be responsible for the administration of any drug resulting in a positive test may be subject to the same penalties set forth for the licensed trainer.
 - In addition, any veterinarian found to be involved in the administration of any drug in Penalty Schedule A shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation.
- The licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding shall be notified in writing of any action and their presence may be required at any and all hearings relative to the case. Administrative action may be taken against any licensed person found to be responsible or party to the improper administration of a drug or the intentional administration of a drug resulting in a positive test.
- Any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency.
- Administrative action taken by the regulatory body in no way prohibits a prosecution for criminal acts committed.
- Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

STAFF ANALYSIS
PROPOSED AMENDMENT OF
RULE 1842. VETERINARIAN REPORT

Medication Committee
January 9, 2007

BACKGROUND

Business and Professions (B&P) Code Section 19420 provides that the Board has jurisdiction and supervision over meetings in California where horse races with wagering on their results are held, and over all persons or things having to do with the operation of such meetings. B&P Code Section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. B&P Code Section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. B&P Code Section 19581 states the Board may require that the official veterinarian approve, in writing, the administration of those substances in accordance with the regulations of the Board. B&P Code Section 19583 provides every veterinarian who treats a horse within the inclosure shall, in writing, on a form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer of the horse, the item of treatment, any medication administered to the horse, and any other medication requested by the official veterinarian. Board Rule 1842, Veterinarian Report, requires veterinarians to complete a confidential veterinarian report when treating a horse within the inclosure. The report asks for information regarding the name of the horse treated, the name of the trainer of the horse, the time and date of the treatment and any other information requested by the official veterinarian. The report is confidential and its content may not be disclosed except in a proceeding before the stewards, or in an exercise of the Board's jurisdiction. While the Board's regulations address who may administer veterinary treatments to horses within the inclosure; what drugs or other substances may be administered to a horse entered to race; who may possess certain drug substances and hypodermic needles within the inclosure; and the time frame in which certain drug substances may be administered to a horse entered to race, they do not address the falsification of such actions on the confidential veterinarian report.

ANALYSIS

The proposed amendment to Board Rule 1842 will add Subsection 1842(b), which states no veterinarian shall enter false information on a veterinarian report. The Subsection also defines false information to include omission of prescribed information. The proposed amendment will allow the Board to hold veterinarians responsible for the manner in which they fill out the confidential veterinarian reports.

RECOMMENDATION

This item is presented for discussion and action.

Reference: Sections 19581 and 19583,
Business and Professions Code.